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## ORIGINAL PAPER

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## SELECTED SKILLS OF PARTICIPANTS IN MEDIATION PROCEEDINGS IN FAMILY MATTERS

### WYBRANE UMIEJĘTNOŚCI UCZESTNIKÓW POSTĘPOWANIA MEDIACYJNEGO W SPRAWACH RODZINNYCH

#### Keywords:

mediation,  
mediator, mediation  
models, skills,  
communication,  
results of studies

**Summary:** The article presents the results of pilot studies. It refers to the opinions of participants of mediation and mediators regarding the parties' skills (with particular focus on communication skills). The study was conducted using questionnaires devised for this occasion (for both the participants in mediation and the mediators). What is worth noting are the convictions of the parties regarding their own communication skills, the diversity of the respondents' opinions, *inter alia*, in terms of their interpersonal skills and the ability to communicate their own needs, the high degree of emotion and the ways of dealing with clients' emotions indicated by mediators. In the opinion of the mediators, the parties have high self-presentation skills but at the same time are not able to accept either criticism or praise. Differences in communication styles and decision-making methods for women and men participating in mediation were indicated. Moreover, the major areas of communication and taboo in the process were identified. The research leads

**Słowa kluczowe:**

mediacja, mediator,  
modele mediacji,  
umiejętności,  
komunikacja,  
wyniki badań

to the conclusion that family mediators should take into account the possibility and preparation of the parties, so that they can be more effective.

**Streszczenie:** Artykuł stanowi prezentację wyników badań pilotażowych. Odnosi się do opinii osób poddanych mediacji i mediatorów w zakresie umiejętności stron (ze szczególnym uwzględnieniem umiejętności komunikacyjnych). Badania przeprowadzono za pomocą przygotowanych kwestionariuszy (dla uczestników mediacji i mediatorów). Na uwagę zasługuje przekonanie stron co do własnych umiejętności komunikacyjnych, zróżnicowane opinie respondentów, m.in. w zakresie umiejętności interpersonalnych i komunikowania swoich potrzeb, duża emocjonalność oraz wskazane przez mediatorów sposoby radzenia sobie z emocjami klientów. W ocenie mediatorów strony posiadają wysokie umiejętności autoprezentacji, a jednocześnie nie potrafią przyjmować krytyki i pochwał. Wskazane zostały różnice w stylach komunikacji i sposobach podejmowania decyzji uczestniczących w mediacji kobiet i mężczyzn. Określone zostały także główne obszary komunikacji oraz tematy tabu w procesie. Badania prowadzą do konkluzji, że działania mediatorów rodzinnych powinny uwzględniać możliwości i przygotowanie stron, dzięki czemu staną się efektywniejsze.

## Introduction

At various points in every person's life, disputes will undoubtedly arise – they are an inherent element of our functioning in society. As social beings, we have the need to maintain good relations with others in every sphere of our lives. Sometimes it happens, however, that we are not able to settle a conflict alone, and then mediation is necessary.

“Mediation is the intervention in a standard negotiation or conflict of an acceptable third party who has limited or no authoritative decision-making power but who assists the involved parties in voluntarily reaching a mutually acceptable settlement of issues in dispute” (Moore, 1996, p. 15).

Mediation is a method of used in judicial proceedings relating to mediation in a dispute, in addition to facilitation, negotiation or arbitration. While the general aim of mediation is to achieve a consensual resolution of a conflict or to reach a compromise, it seems that the universal and primary aim of mediation is to help the parties when they ask for support. With regard to the emotional sphere, mediation is designed to suppress existing negative emotions and replace them with new positive ones. Mediation does not resolve a dispute, but rather focuses on the elimination of the conflict that exists at the given moment (Dziugiel, 2003). Unlike the negotiation process, where we strive to achieve an objective that is in our interest, what counts most in mediation is the common interest of the parties. Negotiations between the parties (during mediation) are usually understood as actions that consist in adjusting the solutions that are considered ideal and desirable by either of the parties until the moment when these solutions can be attained by both. The term “(commercial) transaction” can serve as a synonym of “negotiation,” where we exchange the goods we own for those we want to receive from the other party (Dziugiel, 2003).

A mediator is the person who manages the proceedings, supports the mediation process, alleviates emerging tensions, but does not impose solutions. He or she is impartial, accepted by the parties and neutral in the proceedings. The mediator facilitates communication between the participants in the dispute and creates space for a consensus. In the theoretical and practical space, there exist models of mediation that characterize the activities of the participants (mediators, parties) in the context of reported problems (issues) and needs (expectations). Table 1 presents selected models indicating the actions undertaken by the mediator.

Table 1

*Selected mediation models and actions undertaken by the mediator*

Model	Mediator's actions
Facilitative mediation	The mediator seeks to resolve the conflict in a way that would satisfy the parties in the dispute, but his or her role is only supportive. S/he asks questions, approves and normalizes the participants' points of view. S/he helps the parties to identify and analyze options for resolving the dispute. The mediator does not give advice or express opinions; s/he organizes joint sessions so that the parties can hear each other's views and have a significant influence on the outcome. S/he takes responsibility for the mediation process, but the outcome remains the responsibility of the parties.

Model	Mediator's actions
Evaluative mediation <sup>1</sup>	The mediator assists the parties in reaching a settlement by pointing out the weaknesses of the proposed solutions. S/he can make formal or informal recommendations to the parties. Mediators usually meet with the parties separately, and the parties' attorneys also attend the meetings. In this model, mediators help to assess the parties' legal position and the costs vs. the benefits of pursuing a legal resolution rather than settling in mediation.
Transformative mediation	The mediator aims at changing attitudes and relations between the participants in the proceedings. Apart from a satisfactory solution to the problem, a change in the way of thinking becomes essential. The parties structure both the process and the outcome of the mediation, and the mediator follows their lead.
Therapeutic mediation	In the therapeutic model, mediators try to work in pairs. The principle is to take into account the fact that in disputes, there are diverse positions and life conditions of the parties. What becomes essential are the ways of dealing with people with developmental and behavioral deficits (resulting from, among others, stress). The mediator's role expresses itself in empathy, support and assistance.
Narrative mediation	The mediator aims to co-create stories that emphasize competences and strengths, not conflict. The mediator allows the parties to authorize relations in a peaceful, collaborative and respectful way. Mediation allows its participants to exchange information, giving hope for a better understanding of the problems and an analysis of the issues at stake. It creates space to clarify expectations, interests and needs (hidden). What is essential is to try and find a common ground and, most importantly, to implement a mutually satisfactory solution.

Source: own work based on Baruch Bush & Folger, 2004; Gmurzyńska & Morek, 2009; Zumeta, 1998.

It should be noted that no theoretical model exists in mediation practice in its pure form. Models overlap one another, and mediators use various techniques depending on the course of the process and the capabilities and expectations of the parties. The primary goal of mediation (in the understanding of formal proceedings) is settlement. The parties should negotiate the agreement themselves, because then they feel more obliged to abide by its terms.

## Current state of research

Although family mediation has been a long-standing issue in literature on the subject, research into the skills of the parties is not extensive. Researchers

<sup>1</sup> The evaluative model emerged in court-mandated or court-referred mediation. Attorneys usually work with the court to select a mediator and are active participants in the process. This type of mediation is used by mediators whose work is based on prestige and social position and not solely on legal authority. The model is rarely applied in Poland.

more often refer to mediation models, process efficiency, parties' satisfaction with participation in proceedings, the role of the mediator and the opportunities offered by mediation. In the field of social sciences, some of the latest research on family mediation has been conducted, among others, by Lorig Charkoudian, Jamie Walter and Deborah Thomson (2018). The researchers attempted to correlate the behavior of mediators and participants in mediation in an analysis of 130 family cases. Their analysis led to the conclusion that reflective strategies (used by mediators) were linked to positive results, while guidance strategies had significant negative effects. Lisa Parkinson (2019) presented a different perspective on family mediation. In her opinion, mediation proceedings are limited by the framework of accepted models (theories). The author, through qualitative research with the participation of children, pointed to the legitimacy of using ecosystem-based family mediation, which she calls a discreet process with clearly defined rules and limits, i.e., a process adapted to the needs of a particular family, with special emphasis on listening and conversation.

The effectiveness of family mediation depends on the degree of the participants' involvement in the proceedings during their work on the problem (Morris, Halford, Petch & Hardwick, 2016). According to the researchers, variables such as socio-demographic situation, educational problems and children's behavior do not influence refusal to participate in the process. Lack of participation in mediation usually results from a strong conflict between the parties.

Interesting research results have been obtained in Polish studies. Research conducted by Hanna Przybyła-Basista (2006) shows that the majority of separated spouses are satisfied with their participation in mediation (90% – when an agreement was reached, 55.2% – when no agreement was reached). The analysis of the spouses' statements points to a sense of understanding and listening as fundamental issues in the mediation process. It was also found that the parties recognize the positive importance of mediation for their children (60.9%) and that mediation creates space for a better understanding of the partner.

Anna Cybulko (2019) presented a study conducted within the framework of her doctoral dissertation. According to the author, mediators use four models of action in their work, with the vast majority of practitioners (75%) focusing on two: supported development mediation and classical mediation. The models used refer to the moderational role of the mediator. As experience increases, knowledge of mediation models changes, and at the same time, the

accuracy of the narrowly understood role in mediation and identification of the model being implemented decreases.

Research on the awareness and knowledge of society concerning alternative resolution of disputes was presented by Karolina Lubas (2017). In the course of her research, she found that 63% of women and 53% of men considered mediation to be an effective method of resolving disputes. In addition, 71% of women and 53% of men indicated that mediation is important for society. The author states that the problem of the insufficient use of mediation concerns many countries. In civil and commercial matters, it is used in less than 1% of cases in the EU. In terms of the number of mediation cases, Poland ranks fifth (together with Hungary) behind countries where mediation has a long tradition.

In March 2014, a questionnaire survey was carried out for social workers. The research referred to the possibilities and need for using mediation and negotiation in social work (Podolas, 2014). The survey was conducted in the form of an audit questionnaire.<sup>2</sup> The results show a diverse understanding of the concepts, principles and roles in the mediation process. Nearly 20% of the respondents could not provide any mediation rule, and 15% of the respondents misinterpreted the role of a mediator. In the respondents' opinions, mediation is used in conflict situations within the family, in terms of taking up drug abuse treatment, care and upbringing matters, mobilization to improve relations with other family members or decisions regarding child custody.

### **Methodological assumptions of own research**

The study discussed herein presents the results of pilot studies during which an attempt was made to determine the skills of the parties to mediation (with particular emphasis on communication skills). Selected skills of the participants in mediation proceedings became the subject of the conducted research.

The following research problems have been identified in the course of the study:

1. What skills (in the area of communication) do the participants of family mediation have?
2. Are the preferred communication styles and decision-making methods different for men and women participating in mediation?
3. Which means of communication do the mediation parties prefer?

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<sup>2</sup> The research was conducted among welfare workers.

The opinions were obtained by means of questionnaires devised for the purpose of the study (both for participants in mediation proceedings and mediators)<sup>3</sup> and supplemented by (participatory) observations conducted during the mediation process.<sup>4</sup> Two groups of respondents were included in the study.

The first group comprised 62 participants of mediation in family proceedings. The study was conducted in the period from November 2018 to April 2019. The aim was to collect and analyze opinions on the ways parties communicate with each other during mediation.

The second group consisted of 11 mediators entered on the permanent List of Mediators (in the District Court in Gliwice) as well as on the List of Mediators recommended by different associations and organizations. The study involved active mediators with experience in family cases. This part of the research was conducted in June and July of 2019.

Taking into account to how little mediation is used in each area of law ([www.mediacja.gov.pl/files/doc/rk-mediacje-agrotec-02.09.pdf/](http://www.mediacja.gov.pl/files/doc/rk-mediacje-agrotec-02.09.pdf/)), as well as the nature of the research group, it should be considered that the number of family mediators (in the area of Gliwice) is limited and variable, which translates into the number of participants in the study.

The mediators were asked to express their opinions on the mediation parties' skills in communication, non-verbal communication, self-presentation, forming and receiving praise and dealing with emotions. In the course of the research, an interview consisting of six questions was used, which was supplemented by targeted and planned observation based on the principle of refraining from exerting any undue influence.

## Results of own research

On the basis of definitions provided in the literature on the subject of styles in communication between spouses and partners (partner and non-partner styles; Rostowska, 2001; Harwas-Napierała, 2008), the participants

<sup>3</sup> The presented questions refer to issues of pedagogy as a theoretical and practical science, in direct reference to the system ontology, which proposes to grasp the whole surrounding reality as a process and as a continuous becoming. For more on the subject of ontology, see: Matraszek & Such (1989); Palka (2006).

<sup>4</sup> The author is a family mediator with several years of experience, president of the Polish Mediation Centre in Wodzisław.

in mediation were asked questions concerning their opinions on the preferred style of communication with a partner in a dispute. The results are presented in Table 2.

Table 2<sup>5</sup>

*Preferred communication styles (opinions expressed by participants in mediation)*

Areas in the field of style	Parties to the mediation proceedings N = 62	
	Partner style	Non-partner style
Information exchange / conversation	13 (20.96%)	49 (79.04%)
Form of communication (message) / means of communication	20 (32.25%)	42 (67.75%)
Message content / expectation	23 (37.09%)	39 (62.09%)
Action control / purpose, intention	36 (58.06%)	26 (41.93%)

Source: own research.

Participants in mediation were asked how they communicate in the area of information exchange (in relation to current affairs, family), how they communicate particular information, what form the information takes and the intention and purpose of the message. The partner style dominated only in the area of action control / purpose, intention (58.06%); in other areas, the respondents indicated communication to be carried out in the non-partner style. The areas that were particularly highlighted were: information exchange / conversation (over 79% of the respondents) and form of communication / means of communication (67.75% of the respondents). Moreover, in the opinions of the male participants in the survey, communication with a partner is in line with the non-partner style in each of the indicated areas, while the female participants indicated that in the context of message content (53.12% of the respondents) and intentions (68.75%), the partner style dominates. On the basis of the presented research, one can conclude that there are differences in how the ways of communication are perceived, which has a direct impact on the decision-making process. It seems that the ability

<sup>5</sup> Multiple choice question.



to communicate one's needs in a marriage/partner relationship is a basic skill and shapes healthy relations from the perspective of a spouse, parent or child. Family communication styles refer to the way of thinking, position or point of view. What becomes a determinant is the understanding and respect for difference. Partners avoid giving each other advice or orders. In the area of non-partner communication, there is a lack of acceptance of certain behaviors or views. This results in resignation from meeting one's own needs or compliance with the expectations or requirements of the interlocutor.

The next question concerned decision-making methods. The decision-making process itself consists of a group of thought operations which, when organized in the right order, make it possible to assess the situation and choose the most advantageous option. The factor triggering the decision-making processes is a problematic situation (Holska, 2016). The participants in mediation were asked how often and in what manner they make decisions regarding family matters. Their responses are presented in Table 3.

Table 3

*Decision-making methods regarding family/relationship – opinions of participants in mediation*

Preferred response	Parties to the mediation proceedings N = 62		
	often	sometimes	rarely
Jointly	16 (25.80%)	17 (27.41%)	29 (46.77%)
The male partner's opinion prevails	19 (30.64%)	20 (32.25%)	23 (37.09%)
The female partner's opinion prevails	20 (32.25%)	16 (25.80%)	26 (41.93%)
Through negotiation	10 (16.12%)	20 (32.25%)	32 (51.61%)
Through mediation / third party participation	6 (9.67%)	3 (4.83%)	53 (85.48%)

Source: own research.

The analysis of the participants' responses does not allow us to determine the dominant decision-making model. The respondents *rarely* use mediation or assistance of a third party in dispute resolution (85.48% of respondents).

In the opinion of the largest group of respondents, decisions are *rarely* made jointly (46.77% of respondents), similarly to those made through negotiations (51.61% of respondents). In the opinion of 30.64% of respondents, the male partner's opinion *often* prevails during the decision-making process; similar indications apply to the female partner's opinion being regarded as the prevailing one.

The majority of surveyed women *often* take into account the opinion of their partner when making decisions (40.62%), whereas joint decisions are made *rarely* (56.25%). Most of the surveyed women *rarely* negotiate (53.25%) or use the help of a third party/mediator (87.50%).

The men stated that they *often* (50%) and *sometimes* (33.33%) take into account their partner's opinion, thus they also consider their partner's opinion when making decisions. The male respondents *rarely* use the help of a third party/mediator (83.33%). Moreover, over 86% of the surveyed men indicated that they *sometimes* or *rarely* make decisions through negotiations.

The subjective assessment of the parties in terms of communication skills is presented in Tables 4 and 5.

Table 4

*Assessment of skills in terms of communication with partner (opinions of participants in mediation)*

	Very good	Good	Average	Poor	Very poor
Participants in mediation	26 (41.93%)	29 (46.77%)	5 (8.06%)	2 (3.22%)	0

Source: own research.

Table 5

*Assessment of the partner's communication skills (opinions of participants in mediation)*

	Very good	Good	Average	Poor	Very poor
Participants in mediation	12 (19.35%)	10 (16.12%)	21 (33.87%)	16 (25.80%)	2 (3.22%)

Source: own research.

The parties' belief in their own communication skills is clear. The subjective assessment of the survey participants shows that the majority of respondents (88.74%) consider their communication skills with their partner to be *very*

*good* or *good*. The respondents rated their partner's communication skills much worse – only 19.35% consider them to be *very good* and 16.12% rate them as *good*.

In view of the above, it was important to find out the mediators' views on the assessment of the parties' communication skills. The mediators taking part in the study clearly describe the participants' skills as *very poor* (27.27% of the surveyed mediators) and *poor* (54.54%), also in the area of non-verbal communication. The remaining responses pointed to *average* (18.18%) and *very good* (9.09%) communication skills. The difference in the assessments of their communication skills may result from their different level of emotion and the specific situation in which the mediation participants find themselves. Observations made during mediation proceedings demonstrate that each of the parties tries to present himself or herself in the light most advantageous to them in order to gain the mediator's favor.

Self-presentation – a manner of applying verbal and non-verbal signals while presenting opinions and exhibiting behaviors aimed at telling others who one is (or who one wants to be perceived as) – constitutes another area referring to the respondents' communication skills. Mediators were asked a question referring to the parties' self-presentation and shaping of their image.

The surveyed mediators primarily rated the parties' skills in self-presentation as *good* (27.27% of surveyed mediators) and *very good* (54.54%), while fewer indicated that their skills are *average* (9.09%) or *poor* (9.09%). None of the mediators indicated the answer *very poor*. When it comes to forming and accepting criticism and praise, the ratings are different, namely 45.45% of the surveyed mediators consider the parties' skills to be *average* and 27.27% regard them as *poor*, while only 18.18% chose *good* and 9.09% *very good*. The respondents did not attribute the indicated skills to the mediation parties and in most cases assessed them as *average* or *poor* (a total of eight respondents).

Criticism usually generates troublesome emotions (shame, anger, anxiety, fear, embarrassment). It is commonly believed that the critic has bad intentions, which naturally hinders a proper reaction. Surprisingly, the same is true of receiving praise. This may be influenced by such factors as low self-esteem, lack of self-confidence, high expectations or even clumsiness that make it impossible to accept praise (a compliment). As a special process, mediation is saturated with emotions that make it difficult to properly recognize the intentions of the interlocutor.

As mentioned earlier, there are strong emotions appearing in mediation proceedings, which seems natural in a situation that demands making key decisions. Emotions influence behavior and constitute the source of reaction. In mediation proceedings, an emotional exchange of blows can be observed. The way in which the participants deal with emotions in mediation affects the final arrangements of the meeting and in particular, the possibility of settling the dispute. Below is presented a selection of the mediators' answers to the question: *How do the parties in the mediation process deal with emotions?*

My experience shows that the parties deal with emotions in different ways. The most common reaction is an outburst of crying, breaking up of meetings or seeking support from a mediator or other third parties (e.g., attorneys). Another way is to adopt an evasive approach.  
A woman, aged 39

In my practice, I encounter anger expressed towards the partner – that's the most common reaction. Then, you should try to direct the conversation in such a way that the parties want to work on solving the problem.  
A woman, aged 45

My experience at work is that the parties are afraid to show emotions; it also happens that they break up the meeting or I propose that they should do that – there is time to vent and then return to the talks.  
A man, aged 39

Most often, screaming, crying, anger – this is how women react. You can see anger in men, but they want to control their emotions, they more often ask for breaks. I cannot describe it in detail, because every situation is different. As many problems as there are, there are that many ways of dealing with them.  
A woman, aged 49

During mediation, the best known and practiced way of cooling emotions is to change the subject, walk around an arcade and only after some time, return to the talks.  
A man, aged 52

The respondents' describe communication behaviors evoking the "lose-lose" model of negotiation, in which the other side is considered to be the enemy. When we communicate with the enemy, we express anger by shouting or

interrupting the meeting. On the other hand, one should never give in, and the goal is to control your position. In their opinions, the mediators propose ways to control the parties' emotions, such as on-demand breaks, changes in subject matter or venting.

In mediation proceedings, of particular significance is the thematic scope determined by a court decision or indicated by the parties. One of the first activities of a mediator is to specify his or her role and the area to be discussed. People in close (intimate) relationships and may have problems with concentration and task-oriented activity. There is always a temptation to use the knowledge one has about their partner, schematic and unfair perception, which is often accompanied by emotions. The subject matter of the meetings refers to family matters. Tables 6 and 7 present, respectively, the areas of communication and lack of communication most often indicated by the respondents.<sup>6</sup>

Table 6

*Indicated areas of communication (opinions of participants in mediation)*

	Children / family	Recognized values	Daily duties	Finances	Free time / interests	Intimacy
Participants in mediation	51 (82.25%)	6 (9.67%)	31 (50%)	13 (20.96%)	10 (16.12%)	25 (40.32%)

Source: own research.

Table 7

*Indicated areas of a lack of communication (opinions of participants in mediation)*

	Sexual intimacy / bodily needs	Feelings / emotions	Finances/work	Faith	No answer provided
Participants in mediation	31 (50%)	11 (17.74%)	20 (32.25%)	2 (3.22%)	3 (4.83%)

Source: own research.

In the opinion of the respondents, the most frequent topics in communication with their partner are related to *family and children* (82.25%) and *everyday duties* (50%). Moreover, a significant number of respondents (40%) indicated *intimacy*, understood as *bodily needs*. It is worth noting that

<sup>6</sup> Multiple choice question.

*intimacy* was indicated by 50% of the respondents as a taboo subject. Such a discrepancy is a harbinger of communication problems in this area. The remaining topics indicated in the area of lack of communication concern *finance* (32.25%), *faith* and *emotions/feelings* (together, 20.98%). Only in the case of 4.83% of respondents was no answer provided. The mediators were asked about taboo topics during mediation. The majority (81.81%) were of the opinion that such topics do not occur. In the course of mediation, the respondents try to avoid tension and disputes, which does not mean that they avoid important topics. The developed rules of mediation make it possible to touch upon all important matters, including those with respect to intimacy and confidentiality. What becomes the objective is to define the rules of consensual coexistence.

## Conclusion

Nowadays, the family is faced with a specific situation. On the one hand, there is a shift away from traditional values, while on the other hand, there are attempts to find one's place in modern society. A person lives and works in a particular environment. Things and people that comprise this environment remain in various relations with one another. Everyone has his or her place in a given environment and his or her presence is not without influence on the relations occurring among other elements there (Nikołajew & Leśniewska, 2012, p. 144). Family mediation is a special procedure. It concerns the closest people and touches on fundamental issues. Decisions made during the proceedings result in solving problems that occur in personal life. Each decision is placed in a certain context, which consists of a huge number of possible options. What is particularly important for the successful resolution of a dispute is the use of the right language and proper communication with the partner.

In the course of the study, an attempt was made to answer questions about the mediation parties' manners of communication and their communication skills. On the basis of the conducted research, the following conclusions were formulated which are not subject to generalization due to small size of the research group:

1. Efficient communication influences how opinions are shaped and who takes the responsibility for their own actions; it is on its grounds that the necessary changes are made. Therefore, acquiring knowledge, as well

as assistance in making decisions, is necessary – even in the process of splitting up or determining conditions of coexistence.

2. The mediator's assistance can initiate a process during which participants in a meeting learn how to make decisions together. The research shows that participants in a dispute lack certain skills. Differing opinions of the respondents dominate, *inter alia*, in terms of interpersonal skills and ability to communicate one's needs. Differences (within gender) in preferred communication styles and decision-making methods demonstrate the need to build such models of mediator work that will allow the unification of expectations to the extent necessary to resolve a dispute.
3. Participants in mediation consider their communication skills to be very good and good, while mediators are of a different opinion. The latter assess the former's skills as being of a low level; they similarly assess the participants' skills associated with accepting praise and criticism. On the other hand, mediators note that the parties are well prepared in terms of self-presentation.
4. The skills of the parties to mediation are mainly influenced by strong emotions and the situation related to their participation in a particular proceeding. In the activity of mediators, it is important to control the behavior of the parties to the proceedings. The aim is to manage the emotions of the clients in a way that is effective for reaching an agreement. Mediators draw attention to the strong emotions that arise during the proceedings, the parties' struggles and the need to control the process.
5. Disputes can vary in intensity, and it is therefore a rule of thumb to determine/indicate the point the given one is at in the given moment. This relates to the correct transmission and reading of verbal and non-verbal messages. For the parties to the proceedings, the most important issues are those related to their family and children as well as to everyday duties. Topics indicated as taboo were related to intimacy and issues connected with finances and work. Most of the surveyed mediators believe that all topics can be addressed in the course of mediation.

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